

CASE NO.: 50R4741  
Serial No.: 09/944,655  
September 27, 2004  
Page 5

PATENT  
Filed: August 31, 2004

### Remarks

Reconsideration of the above-captioned application is respectfully requested. Claims 1 and 3-20 had been rejected as being anticipated by Lee et al., USPN 6,374,177, and Claim 2 had been rejected as being "anticipated by, or in the alternative obvious over" Lee et al. Claims 1-20 have been canceled and new Claims 21-28 are presented herein. Support for the new claims is found in Figures 1-3 and on pages 5-7.

Of relevance to the present claims is that Lee et al. nowhere envisions uploading the claimed service information, gleaned from an XM radio broadcast, to the Internet and receiving back information relating thereto, much less in the way particularly recited in, e.g., Claim 21 for avoiding the triggering of a client device firewall. In fact, Lee et al. nowhere even mentions "firewall". And, Lee et al. mentions "XM Radio" only once, tangentially in the background.

Furthermore, Lee et al. nowhere envisions sending information from a radio broadcast of any kind to the Internet for correlation to other, related information. Instead, in the relied-upon portions of Lee et al. (essentially, the entire summary portion of the detailed description plus the entire descriptions of Figures 1-5, without a great deal of further elucidation), Lee et al., while envisioning many features in a shotgun sort of approach, at its most relevant teaches, at col. 6, lines 34-40, "saving enhanced information about selected broadcasts with the press of a button...the information is wirelessly transmitted to a server on the Internet gateway network 30 that can be later retrieved from the user's home or office computer with an Internet connection and web browser", but note that there appears to be no teaching or suggestion in the relied-upon summary portion of Lee et al. that this "enhanced information" is ever *correlated* to anything, in contrast to the present claims.

1168-137.AMD

CASE NO.: 50R4741  
Serial No.: 09/944,655  
September 27, 2004  
Page 6

PATENT  
Filed: August 31, 2004

The Examiner is cordially invited to telephone the undersigned at (619) 338-8075 for any reason which would advance the instant application to allowance.

Respectfully submitted,



John L. Rogitz  
Registration No. 33,549  
Attorney of Record  
750 B Street, Suite 3120  
San Diego, CA 92101  
Telephone: (619) 338-8075

JLR:jg

1168-137.AMD